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EXAMINER

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ART UNIT PAPER NUMBER

2644

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7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,304

Applicant(s)

BERNARDI ET AL.

Examiner

Andrew Graham

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Art Unit: 2644

DETAILED ACTION

Drawings

1. The drawings are objected to because they fail to meet the following requirements of CFR § 1.84.

- § 1.84 (1) *Character of lines, numbers, and letters:*

Every line, number, and letter must be durable, clean, black (except for color drawings), sufficiently dense and dark, and uniformly thick and well-defined. The weight of all lines and letters must be heavy enough to permit adequate reproduction.

- § 1.84 (p) (3) *Numbers, letters, and reference characters:*

Numbers, letters, and reference characters must measure at least .32 cm. (1/8 inch) in height. They should not be placed in the drawing so as to interfere with its comprehension. Therefore, they should not cross or mingle with the lines.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C.

112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2644

2. **Claims 1-18** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the error signal" in the eleventh line of the claim, but the concept of "error signal" is first described in the first line of the claim as "at least one error signal". It is therefore unclear as to which of these "at least one error signals" is being referred to by "the error signal". Accordingly, there is insufficient antecedent basis for the cited limitation in the claim.

Claims 2-18 are rejected due to their respective dependencies upon Claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 1-10, 13-15, 19-25, 27-29 and 33** are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlson et al (USPN 4777649) in view of Andrea et al (USPN 5732143) and Ruegg (USPN 3875349). Hereafter, "Carlson et al" will be referred to as "Carlson" and "Andrea et al" will be referred to as "Andrea".

Art Unit: 2644

Carlson discloses a system for providing repeatable microphone positioning and input volume for a telephone handset. The input to the system is provided through a microphone (15) and a pre-amplifier (22) (col. 6, lines 7-8). This signal is then averaged (23) and applied to a variety of threshold detectors (24,25,61,24a,24b,25a,25b) (col. 6, lines 8-11; col. 7, lines 3-44 and 60-65; col. 9, lines 4-9 and Figures 9-12). In the system of Carlson, these sound pressure levels are associated with the distance between the handset and the user's mouth (col. 3, lines 34-66). An input level above one threshold is equated to the microphone being too close to a user's mouth and an input level below a second threshold is equated to the microphone being too distant from a user's mouth (col. 3, lines 34-46). These threshold detectors produce signals that are used to control the operation of switches (37, 45, 65) that give the handset user indication regarding an improperly positioned microphone (col. 9, lines 1-16). The indication fed back to a user is described by Carlson as a position indicator (col. 7, lines 60-65). The threshold detectors and their controls read on "a position estimation circuit coupled to receive the audio signals". The threshold detection signals emitted by the detectors (24,25,61) reads on "the error signal representing an estimate of the acoustic pick-up device being positioned differently than intended with respect to the desired acoustic source". These signals are considered to herein to be an "estimate", as suggested by the submitted claim language, in the sense that Carlson notes that a user's volume may affect a perceived volume

Art Unit: 2644

instead of the positioning, and that the average of a period of input is used, which may be affected by the spoken sentences (col. 4, lines 16-28).

However, as noted above, the input of Carlson appears to be only based on one input microphone. Thus, Carlson does not specify:

- an acoustic pick-up device having a first microphone and a second microphone, wherein the microphones are disposed at a distance from each other and receive acoustic signals from a desired source

Andrea discloses a system that involves the use of two microphones to cancel noise during the use of a communication device, such as telephone handset or headset. A handset embodiment is generally illustrated in Figures 1 and 3A-3B and a headset or boom microphone embodiment is generally illustrated in Figures 6A-6C and 9A-9E. The input to the system is provided through a pair of microphones (col. 12, lines 41-54; col.19, lines 11-19). The two inputs are subtracted at an amplifier (16) in order to remove the noise component of the transmitted signal (col. 12, lines 55-66). The first microphone (12) is disclosed as being preferably less than an inch away from the desired sound source and Figure 3a shows that the second microphone is further from the sound source than the first microphone (col. 14, lines 2-6). The two microphones (12,14) read on "an acoustic device having a first microphone disposed at a first distance from a desired acoustic source" and "second microphone disposed at a second distance from the desired acoustic source". The

Art Unit: 2644

functioning of these microphones reads on "receiving acoustic signals generated from the desired acoustic source, and in response, transducing the acoustic signals into audio signals". The microphones are able to operate in a noise canceling mode and a talk-thru mode (col. 33, lines 44-58). Switches (1910,1925,1930) are used in the talk thru mode to disable the first microphone (1900) such that the second, omnidirectional microphone (1901) provides the overall input for the system (col. 34, lines 38-43). This allows sound sources other than those included in the noise canceling response area to be provided to the output of the system (col. 34, lines 55-66).

To one of ordinary skill in the art at the time the invention was made, it would have been obvious to incorporate the two microphone based input arrangement of Andrea into the pick-up part of the system of Carlson. The motivation behind such a modification would have been that such a dual microphone would have been able to cancel noise from the input signal, while still including the capability of inputting all directionalities of sound from the environment.

Yet, Carlson in view of Andrea does not specify:

- a controller using the error signal to compensate for the acoustic pick-up device being positioned differently than intended by providing the audio signals from at least one of the microphones to an output

However, Ruegg teaches a system for, based on an input sound level, adjusting the shape of a microphone directivity pattern for a hearing aid. As part of the background of the art, Reugg teaches that

Art Unit: 2644

a predetermined direction is associated with a directional microphone characteristic, and a spherical sensitivity is associated with the general sounds of the surroundings (col. 1, lines 16-36). The difference between these sound directions is associated with received input levels above a threshold values, wherein the levels below are associated with a spherical directivity pattern and the levels above are associated with a pronounced directional characteristic, so that a user may hold a conversation with another person at a predetermined direction and distance (col. 2, lines 8-18). The automatic version of the device is shown in Figure 2, wherein a reversing switch (23) performs the switching and the state of the switch is based on a signal output by the amplifier (19) (col. 3, lines 14-28). The switch is affected by the level of the signal from one of the microphones exceeding a threshold level (col. 3, lines 18-24). The first microphone (11) shown has a spherical sensitivity characteristic and the second microphone (12) shown has a directional characteristic (col. 2, lines 60-67). As stated above, the directional characteristic is associated with a desired source in a predetermined direction and distance (col. 1, lines 16-21 and col. 2, lines 8-17). Thus, the switching to the spherical sensitivity pattern in the presence of a desired signal source is equivalent to the relative mispositioning between the pick-up system and the desired signal source. Thus, the amplifier (19) with its second output (24) reads "a position estimation circuit coupled to receive the audio signals from the first microphone and the second microphone" and "adapted to

Art Unit: 2644

produce therefrom the error signal". The signal line connection, including the switch element (25), and the switch (23) reads on "a controller using the error signal to compensate for the acoustic pick-up being positioned differently than intended by providing the audio signals from at least one of the first microphone and the second microphone to an output".

To one of ordinary skill in the art at the time the invention was made, it would have been obvious to include the directionality switching circuitry of Ruegg as part of the microphone input for the system of Carlson in view of Andrea. The implementation of such a microphone system would have been desirable because the microphone system been able to automatically determine the presence of a desired sound source in a desired direction, and process the sound accordingly. Such an arrangement would have also been able to automatically process sound that, while still desired, is not in the predetermined direction. Alternately stated, the system of Ruegg enables the appropriate directionality of a response pattern to be selected based on the detected input conditions.

Regarding **Claim 2**, Carlson discloses that five processed versions of the received speech or a generated tone can be fed back to the user a microphone position indicator, based on the threshold of signal (col. 7, lines 36-59 and col. 9, lines 17-28). This reads on "an indicator utilizing the error signal to generate an indication of the acoustic pick-up device being positioned differently than intended".

Art Unit: 2644

Regarding **Claim 3**, both of the systems of Carlson and Ruegg involve the processing of an input signal, wherein the processing decisions are based on the processed input signal (col. 6, lines 7-28). This reads on "the error signal is determined after the audio signals are received by the position estimation circuit".

Regarding **Claim 4**, Andrea discloses that omnidirectional sensitivity patterns may be the basis for the microphone input calculations in the system (col. 23, lines 11-15 and col. 38, lines 31-36). This reads on "the first microphone and the second microphone are both omnidirectional microphones".

Regarding **Claim 5**, an op amp (16) is arranged in the system of Andrea for subtracting the inputs of the two microphones in order to derive a signal comprising substantially speech (col. 12, lines 55-67). This reads on "a noise canceling microphone signal adapted from a difference between the audio signals received from the first microphone and the audio signals received from the second microphone".

Regarding **Claim 6**, a reversing switch (23) is included in the system of Ruegg for transmitting the spherically or directionally sensitive input signal to the output amplifier (19) and speaker (21) (col. 3, lines 14-28). This reads on "the controller includes a switch for transferring the audio signals from one of the first and second microphones to the output".

Regarding **Claim 7**, in the talk thru mode of the system of Andrea, the input response pattern is changed from noise canceling to omnidirectional by disconnecting one of the microphones from the input

Art Unit: 2644

lines (col. 34, lines 38-43). This switching and these response patterns, in view of the controls and parallel response patterns of Ruegg, read on "a switch transferring a combined signal to the output, the combined signal generated from a difference between the audio signals received from the first microphone and the audio signal received from the second microphone".

Regarding **Claim 8**, please refer above to the rejection of ther similar limitations of Claims 1 and 7, noting that a differential amplifier (500) produces the combined signal in the system of Andrea and the combined signal response pattern of Andrea corresponds to the directional microphone pattern of Ruegg.

Regarding **Claim 9**, Figure 8 illustrates that the difference is produced in part through the use of a summing circuit (314), which reads on "the device comprises a summing unit" (col. 21, lines 5-21).

Regarding **Claim 10**, the multiple "a" and "b" threshold detectors (24,25) function as position sensors because of the associations of input levels with proximity of a source the input receiver (col. 3, lines 33-4 and col. 6, lines 8-11 and 39-59 of Carlson). These detectors, including the circuitry used for implementing the corresponding signal processing, read on "a sensor capable of determining the acoustic pick-up device being positioned differently than intended".

Regarding **Claim 13**, the first microphone (12) of Andrea is disclosed as being preferably less than an inch away from the desired sound source and Figure 3a shows that the second microphone is further

Art Unit: 2644

from the sound source than the first microphone (col. 14, lines 2-6). This reads on "the first microphone is disposed closer to the desired acoustic source than the second microphone".

Regarding **Claim 14**, Figure 8 of Carlson illustrates one embodiment that involves the use of three threshold detectors (24,25,61). The "g" threshold detector (61) detects the presence, but unacceptable level, of speech (col. 8, lines 66-68). Accordingly, a signal not surpassing threshold "g" is logically considered to not be present. Carlson also teaches that a signal that does not surpass either of the "a" and "b" threshold levels as being too far or having no speech (col. 9, lines 62-68 and col. 10, lines 1-15). Collectively, the equivalent conditions detected by either of the "g" and/or "a" thresholds read on "a device determining whether the desired acoustic source is operational". As discussed in regards to Claim 10, the "a" and "b" threshold detectors are equated in the system of Carlson to proper and improper pick-up device positioning (col. 3, lines 33-4 and col. 6, lines 8-11 and 39-59 of Carlson). These detectors (24,25) read on "a sensor determining that the acoustic device pick-up is positioned differently than intended". The outputs of the three threshold detectors (24,25,61) in the device of Figure 8 are connected to a logic circuit (63) that appropriately controls a switch (65) (col. 9, lines 4-16). This connection reads on "coupled to the device".

Regarding **Claim 15**, Carlson discloses that a distortion generator (33) and supergain generator (34) can be used to provide altered

Art Unit: 2644

versions of the input speech signal as feedback to the user (col. 6, lines 31-53). In accordance with Figure 11, Carlson discloses that when the input signal exceeds threshold "g", but not threshold "a", the signal is present, but at an unacceptable level (col. 8, lines 66-68). When the level is less than threshold "a", which is higher than threshold "g", a low pitched tone is provided to the output of a speaker, indicating to a user that the microphone is not properly positioned (col. 9, lines 4-9). When the level exceeds threshold "b", which is higher than thresholds "g" and "a", a high pitched tone may be provided to the output of a speaker, indicating to a user that the microphone is not properly positioned (col. 8, lines 45-59). Both of these conditions reads on "when the acoustic source is operational and when the sensor determines that the acoustic pick-up device is positioned differently than intended according to a predetermined threshold that is exceeded". Carlson also discloses that other types of speech, such as the distorted or amplified speech, can be substituted for the tone feedback signals (col. 9, lines 17-28). This reads on "the audio signals from at least one of the first microphone and the second microphone are provided to the output".

Regarding **Claim 19**, please refer above to the rejection of the similar limitations of Claim 1.

Regarding **Claim 20**, the combination of the microphones in the system of Andrea converts the sensitivity pattern received from the two microphones from a non-directional pattern to a noise canceling (col. 33, lines 47-55). This operation is controlled through the

Art Unit: 2644

operation of switches (1910,1925,1930), which parallels the switch utilized by the feedback decision means in the system of Ruegg (col. 34, lines 38-43 of Andrea; col. 3, lines 14-24 of Ruegg).

Collectively, these teachings thus read on "said control means adjusts a polar pattern of the audio signals received from the first and second microphone means".

Regarding **Claim 21**, please refer above to the rejection of the similar limitations of Claim 5.

Regarding **Claim 22**, please refer above to the rejection of the similar limitations of Claim 1.

Regarding **Claim 23**, please refer above to the rejection of the similar limitations of Claims 4 and 5.

Regarding **Claim 24**, please refer above to the rejection of the similar limitations of Claim 2.

Regarding **Claim 25**, please refer above to the rejection of the similar limitations of Claim 4.

Regarding **Claim 27**, please refer above to the rejection of the similar limitations of Claim 20, noting that non-directional is also referred to as omnidirectional.

Regarding **Claim 28**, please refer above to the rejection of the similar limitations of Claim 1, noting that thresholds "g" and "b" of Carlson both represent amounts of "too far" or "too close" positioning with respect to the desired input source.

Regarding **Claim 29**, please refer above to the rejection of the similar limitations of Claim 4 and 5.

Art Unit: 2644

Regarding **Claim 33**, please refer above to the rejection of the similar limitations of Claim 14, noting that a non-directional is also referred to as omnidirectional.

4. **Claims 11-12, 16-18, 26, and 30-32** are rejected under 35

U.S.C. 103(a) as being unpatentable over Carlson in view of Andrea and Ruegg as applied above, and further in view of Hou (US 2001/0028718).

As detailed above, Carlson discloses a system for detecting the improper positioning of a microphone based on the detected input level of a signal. Andrea discloses a noise canceling microphone system that involves the use of a pair of input microphones. Ruegg discloses a microphone system that adjusts the sensitivity pattern of a microphone system based on the input level of a signal, wherein higher input levels are associated with a desired sound source at a particular direction and distance. The two microphones in the system of Ruegg each have a spherical and directional sensitivity pattern, respectively (col. 2, lines 60-67).

Carlson in view of Andrea and Ruegg does not teach:

- a programmable phase shift network adapted to produce a range of phase shifts in the audio signals from the second microphone
- a device producing a combined signal based on the phase shifted signals and the signals from the first microphone, with the device being capable of transferring the combined signal to the output

Art Unit: 2644

Hou discloses a microphone unit with adaptive, direction-based control of the produced audio signal. One embodiment of the system is generally shown in Figure 3. As can be seen, this system involves a pair of microphones (mic1, mic2) that are subtracted to form a directional output signal (para. 0016, 0018). A feedback block is included to provide the second microphone signal with an optimal delay value for providing the system with a minimal energy value, which equates to a maximum attenuation of noise and a maximum signal-to-noise ratio (para. 0031, 0032, 0034). The optimal delay is selected based on a comparison between the energy content of previous and current signal samples, within predetermined limitations (para. 0037-0039). When an greater energy value or higher signal to noise ratio is discovered, the resulting delay increment is negative and the delay is decreased (para. 0021). This 'lower than' indication is also considered to be an the error signal representing an estimate of the acoustic pickup device being positioned differently than intended, since the minimizing of energy equates to a maximized signal-to-noise ratio (para. 0034). The system has an unchanging response in the direction of the assumed preferred sound source, though Figure 2 illustrates that the delay cause increases and decreases in the reception of audio signals from other directions (para. 0031). The delays given as examples range from 0 to 34 microseconds, and the delay amounts are associated with angular orientations (para. 0007, Figure 2). Such an order of delay are recognized in the art to be equivalent to phase shifting the signal. The delay means of Figure 3

Art Unit: 2644

of Hou are considered to read on "a programmable phase shift network adapted to produce a range of phase shifts in the audio signals from the second microphone". Figures 3 and 6 illustrate that the signals are negatively combined with subtraction units (subtraction, sub1-sub3), which read on "a device producing a combined signal based on those signals being phase shifted and on the audio signals received from the first microphone, the device being further capable of transferring the combined signal to the output".

To one of ordinary skill in the art at the time the invention was made, it would have been obvious to incorporate the dual microphone and adjustable delay system of Hou as part of the input portion of the system of Carlson in view of Andrea and Ruegg. The motivation behind such a modification would have been that the system of Hou would have enabled the sensitivity pattern of the combined system to be adjusted more than the two patterns of Carlson in view of Ruegg. As can be seen in Figure 2 of Hou, this adjustment enables the signal-to-noise ratio to be maximized through the minimizing of undesired directions as well as the maximizing of reception in desired directions. The multiple sensitivity patterns of Hou are also obtainable through the use of the same two microphone inputs, whereas the system of Ruegg utilizes two different microphones for the two different sensitivity pick-up patterns.

Regarding **Claim 12**, the two signals in the system of Hou are combined using adding or subtracting means, which reads on "the device comprises a summing unit" (para. 0032).

Art Unit: 2644

Regarding **Claim 16**, Carlson teaches the use of multiple threshold detectors (24,25,61) for determining the proper or improper positioning of the microphone (col. 6, lines 8-11; col. 9, lines 4-8; Figure 11). The system of Hou involves a "calculation of delay increment" that continuously determines a delay increment that is added to the current delay value (para. 0020,0036). The delay increment is negative or positive depending on if the change in energy between current and previous output signals is positive or negative (para. 0039). In an alternate embodiment, multiple, delay values are applied to a signal, and the one with the maximized signal to noise ratio is selected for output (para. 0043). Each of these signal detection means reads on "a first circuit determining progressive levels of the acoustic pickup device being positioned differently than intended with respect to the desired acoustic source". The detected increment is applied to a delay generator in the system of Hou, such that a negative energy difference creates a decrease in delay and a positive energy difference creates an increase in delay (para. 0039). The implemented delay is limited between minimum and maximum ranges (para. 0036). This delay generator reads on "a second circuit determining a corresponding phase shift based on a particular one of the progressive levels determined". Figure 3 demonstrates that the delay is implemented into the second microphone signal line, which reads on "said corresponding phase shift being introduced with the audio signals received from the second microphone to produce delayed signals (para. 0032). Both embodiments of Figures 3 and 6 illustrate

Art Unit: 2644

the use of subtracting means (subtraction, sub1-sub3), which reads on "the delayed signals being subtracted from the audio signals received from the first microphone with a result provided to the output".

Regarding **Claim 17**, as cited above, Carlson discloses the use of multiple threshold circuits, which collectively read on "a multi-level comparator" (col. 6, lines 8-11; col. 9, lines 4-8; Figure 11). The positive and negative delay increments based on the positive and negative differences in signal energy of Hou, along with the maximum and minimum limitations, represent a finite number of outputs that may be utilized as the optimal delay (para. 0020,0021). The restrictions of increase or decreased additional delay, along with the maximum or minimum delay, are considered to read on "the second circuit comprises a state machine". The multiple thresholds of Carlson provide an instantaneous description of a signal level, while the cyclical processing of Hou presents a regular, iterative representation of a signal level. Both approaches provide a representation of a signal level upon which physical or electrical adjustments to the input microphones may be made. Accordingly, the collective teachings of Carlson in view of Hou read on "a state machine coupled to the multi-level comparator".

Regarding **Claim 18**, Figure 2 of Hou illustrates polar patterns that may be obtained in a standard version of the microphone input device. These shown patterns are a cardioid, hyper cardioid, and bi-directional (para. 0017, Fig. 2). The directivity patterns of Ruegg include a spherical pattern (Figure 3). These possible

Art Unit: 2644

sensitivity patterns read on "the corresponding phase shift causes a directional response of a combination of the first and second microphones to include one of a figure eight patten, a cardioid pattern, a hypercardioid pattern, and an omnidirectional pattern".

Regarding **Claim 26**, please refer above to the rejection of the similar limitations of Claim 16.

Regarding **Claim 30**, please refer above to the rejection of the similar limitations of Claim 11, noting that the adjustments alter the overall response pattern of the microphones.

Regarding **Claim 31**, please refer above to the rejection of the similar limitations of Claim 11, noting the cardioid pattern of Figure 2(a) of Hou.

Regarding **Claim 32**, please refer above to the rejection of the similar limitations of Claim 11, noting the figure-eight pattern of Figure 2c of Hou.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fullam et al (USPN 6148077) discloses a system for presenting a user with visual or audible feedback regarding the quality of signal received by a telephone handset.

Art Unit: 2644

Masuda et al (USPN 5384843) discloses a telephone system that involves the use of two omnidirectional microphones for adjusting and altering the sensitivity pattern of the device pickup.

Mitsubishi et al (USPN 5579046) discloses the use of a switch for selecting between the use of a single microphone and a difference between a pair of microphones.

Ikeda (USPN 6285768 B1) teaches a noise canceling unit that involves the use of two microphones and a signal-to-noise ratio estimation circuit for adapting the directional sensitivity of an input.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Graham whose telephone number is 703-308-6729. The examiner can normally be reached on Monday-Friday, 8:30 AM to 5:00 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Isen can be reached on (703)305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2644

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AG

Andrew Graham
Examiner
A.U. 2644

ag
June 25, 2004

MINSUN CHOI
PRIMARY